



**U.S. Department of Justice**

*United States Attorney  
Eastern District of New York*

MEF  
F. #2021R00288

*610 Federal Plaza  
Central Islip, New York 11722*

May 7, 2021

By Federal Express

Anthony Grandinette, Esq.  
114 Old Country Road, Suite 420  
Mineola, N.Y. 11501  
E-Mail: Grandinettelaw@gmail.com

Re: United States v. David Corwin  
Criminal Docket No. 21-218 (JS)

Dear Mr. Grandinette:

Enclosed please find the government's discovery in accordance with Rule 16 of the Federal Rules of Criminal Procedure. The government also requests reciprocal discovery from the defendant.

I. The Government's Discovery

A. Statements of the Defendant

Please find enclosed:

- A redacted copy of a Federal Bureau of Investigation ("FBI") report documenting the defendant's statements to law enforcement during a March 18, 2021 interview and consent search of his home, Bates-numbered CORWIN000001-CORWIN000003;
- A redacted copy of a consent to search from March 18, 2021, Bates-numbered CORWIN00004;
- A redacted copy of a consent to search computers from March 18, 2021, Bates-numbered CORWIN00005;
- A redacted copy of a consent to search the defendant's residence from March 18, 2021, Bates-numbered CORWIN00006;

- A redacted copy of a March 18, 2021 consent to search statement, Bates-numbered CORWIN000016;
- Redacted copies of a search warrant affidavit and related warrant for the defendant's premises, Bates-numbered CORWIN000017-CORWIN000056;
- A copy of the defendant's notes from March 24, 2021, Bates-numbered CORWIN000207-CORWIN000209;
- A US Marshal Service form reflecting pedigree information for the defendant, Bates-numbered CORWIN000210-CORWIN000212; and
- A signed Miranda card form for March 24, 2021, Bates-numbered CORWIN000215.

B. The Defendant's Criminal History

The government is not aware of any criminal history for the defendant.

C. Documents and Tangible Objects

Please find enclosed:

- A redacted copy of an evidence collection log related to the March 18, 2021 consent search of the defendant's home, Bates-numbered CORWIN000007-CORWIN000008;
- A copy of an inventory form for evidence seized on March 18, 2021 pursuant to a consent search of the defendant's home, Bates-numbered CORWIN000009-CORWIN000013;
- A redacted copy of a property receipt for pistol seized on March 18, 2021, Bates-numbered CORWIN000014;
- A redated copy of a March 18, 2021 property receipt, Bates-numbered CORWIN000015;
- Photographs taken on March 24, 2021 during the execution of a search warrant on the defendant's home, Bates-numbered CORWIN000057-CORWIN000206, and a related log, Bates-numbered CORWIN000216-CORWIN000221;
- A redacted copy of an evidence collection log for items seized pursuant to a March 24, 2021 search, Bates-numbered CORWIN000213-CORWIN000214; and

- A receipt for property seized pursuant to a search warrant executed on March 24, 2021, Bates-numbered CORWIN000222.

The government is also in possession of additional images and data obtained from the defendant's electronic devices, which have not been produced pursuant to 18 U.S.C. § 3509. You may examine this evidence, as well as any original copies of the documents identified supra, by calling me to arrange a mutually convenient time.

D. Expert Witnesses

The government will comply with Fed. R. Crim. P. 16(a)(1)(G) and Fed. R. Evid. 702, 703 and 705 and notify you in a timely fashion of any expert that the government intends to call at trial and provide you with a summary of the expert's opinion. The identity, qualifications, and bases for the conclusions of each expert will be provided to you when they become available.

E. Brady Material

The government is not aware of any exculpatory material regarding the defendant. The government understands and will comply with its continuing obligation to produce exculpatory material as defined by Brady v. Maryland, 373 U.S. 83 (1963), and its progeny.

Before trial, the government will furnish materials discoverable pursuant to Title 18, United States Code, Section 3500, as well as impeachment materials. See Giglio v. United States, 405 U.S. 150 (1972).

F. Other Crimes, Wrongs or Acts

The government will provide the defendant with reasonable notice in advance of trial if it intends to offer any material under Fed. R. Evid. 404(b).

II. The Defendant's Required Disclosures

The government hereby requests reciprocal discovery under Rule 16(b) of the Federal Rules of Criminal Procedure. The government requests that the defendant allow inspection and copying of (1) any books, papers, documents, data, photographs, tapes, tangible objects, or copies or portions thereof, that are in the defendant's possession, custody or control, and that the defendant intends to introduce as evidence or otherwise rely on at trial, and (2) any results or reports of physical or mental examinations and of scientific tests or experiments made in connection with this case, or copies thereof, that are in the defendant's possession, custody or control, and that the defendant intends to introduce as evidence or otherwise rely upon at trial, or that were prepared by a witness whom the defendant intends to call at trial.

The government also requests that the defendant disclose prior statements of witnesses who will be called by the defendant to testify. See Fed. R. Crim. P. 26.2. In order to avoid unnecessary delays, the government requests that the defendant have copies of those statements available for production to the government no later than the commencement of trial.

The government also requests that the defendant disclose a written summary of testimony that the defendant intends to use as evidence at trial under Rules 702, 703, and 705 of the Federal Rules of Evidence. The summary should describe the opinions of the witnesses, the bases and reasons for the opinions, and the qualification of the witnesses.

Pursuant to Fed. R. Crim. P. 12.3, the government hereby demands written notice of the defendant's intention, if any, to claim a defense of actual or believed exercise of public authority, and also demands the names and addresses of the witnesses upon whom the defendant intends to rely in establishing the defense identified in any such notice.

III. Future Discussions

If you have any questions or requests regarding further discovery or a disposition of this matter, please do not hesitate to contact me.

Please be advised that, pursuant to the policy of the Office concerning plea offers and negotiations, no plea offer is effective unless and until made in writing and signed by authorized representatives of the Office. In particular, any discussion regarding the pretrial disposition of a matter that is not reduced to writing and signed by authorized representatives of the Office cannot and does not constitute a "formal offer" or a "plea offer," as those terms are used in Lafler v. Cooper, 132 S. Ct. 1376 (2012), and Missouri v. Frye, 132 S. Ct. 1399 (2012).

Very truly yours,

MARK J. LESKO  
Acting United States Attorney

By: /s/ Megan E. Farrell  
Megan E. Farrell  
Assistant U.S. Attorney  
(631) 715-7862

Enclosures

cc: Clerk of the Court (JS) (by ECF) (without enclosures)